

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

IN RE:	)	
	)	
DAVID WAYNE SCHNEIDER	)	Case No. 21-30347-KLP
	)	Chapter 7
Debtor.	)	

**TRUSTEE'S APPLICATION TO EMPLOY ACCOUNTANT**  
**(Barry Strickland & Company)**

Peter J. Barrett, Trustee (the "Trustee"), by counsel, hereby requests this Court, pursuant to 11 U.S.C. §327 and Rule 2014 of the Rules of the Bankruptcy Procedure, to authorize the employment of Barry Strickland & Company, Certified Public Accountants ("Strickland"), as accountants for the bankruptcy estate and in support thereof, states the following:

**Background**

1. On February 2, 2021, David Wayne Schneider (the "Debtor") filed for relief in the above-captioned Bankruptcy Court (the "Court") pursuant to Chapter 7 of 11 U.S.C. §101 et seq. (the "Bankruptcy Code").
2. On February 3, 2021, the Trustee was appointed interim trustee in the case and continues to serve in that capacity.

**Need/Basis for Relief**

3. The Trustee requires the assistance of experienced accountants to perform various accounting duties that are needed for the proper administration of the bankruptcy estate including, but not limited to, services concerning the preparation and filing of local, state and federal tax returns, payroll tax returns, and wage claim calculations. The

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Peter J. Barrett, Trustee  
Kutak Rock, LLP  
901 E. Byrd Street, Suite 1000  
Richmond, Virginia 23219  
(804) 644-1700

*Chapter 7 Trustee*

engagement will be directed primarily at these matters, however, the scope of the engagement, if approved, will include any other matters for which the Trustee believes that accounting expertise is needed and all matters the Trustee may assign to the accountants proposed to be employed by this Application.

4. Due to its experience and expertise the Trustee proposes to employ Strickland for these purposes.
5. The Trustee proposes to employ Strickland under a general retainer at the firm's customary hourly rates for comparable services. The firm's current standard hourly rates for accountants are between \$325.00 and \$340.00. The firm's current standard hourly rates for paraprofessionals are between \$95.00 and \$135.00.
6. Subject to approval by the Court, the Application (with Affidavit) shall constitute the Trustee's agreement to employ and compensate Strickland. The Trustee has advised Strickland that its compensation will be in accordance with 11 U.S.C. §330, in compliance with Rule 2016 of the Federal Rules of Bankruptcy Procedure (and any applicable Local Rules), and subject to the approval of this Court.

#### **Legal Authority**

7. The Bankruptcy Code authorized trustees to employ professionals to assist the trustee in completing the trustee's duties in a case such as this one. Specifically, section 327(a) of the Bankruptcy Code provides, in pertinent part, as follows:

Except as otherwise provided in this section, the trustee, with the court's approval, may employ one or more attorneys, accountants, appraisers, auctioneers, or other professional persons, that do not hold or represent an interest adverse to the estate, and that are disinterested persons, to represent or assist the trustee in carrying out the trustee's duties under this title 11 U.S.C. §327(a).

Accordingly, the Trustee asserts that the relief requested is supported by applicable law and is in the best interest of the estate.

**Disinterestedness**

8. The Trustee believes that Strickland does not have any connections with the Debtor(s), creditors, the United States Trustee, or any persons employed in the office of the United States Trustee, or any other party in interest or their respective attorneys and professionals that would prevent Strickland from being a “disinterested person” within the meaning of §101(14) of the Bankruptcy Code. Filed contemporaneously herewith as Affidavit hereto is the Affidavit of Barry I. Strickland, President of Barry Strickland & Company attesting to the status, condition and/or exceptions to any of these connections.

**Notice**

9. Notice of this Application has been given to the parties listed on the attached Certificate of Service. The Trustee submits that such notice is consistent with the Local Rules of the Court and that no other or further notice is required.

WHEREFORE, the Trustee hereby requests that this Court (i) approve the employment of Strickland by entering the proposed Order Authorizing Employment of Strickland and (ii) grant such other relief concerning this Application as may be appropriate.

Date: 5/24/2023

/s/ Peter J. Barrett, Trustee  
Peter J. Barrett, Trustee

**CERTIFICATE OF SERVICE**

I hereby certify that on the 24<sup>th</sup> day of May, 2023, a true and correct copy of this Trustee's Application for Employment of Barry Strickland & Company was sent by first-class mail, postage prepaid, and/or electronic delivery to all parties receiving electronic notification and to:

Shannon Pecoraro  
Office of the U.S. Trustee  
701 East Broad Street, Suite 4304  
Richmond, Virginia 23219

James E. Kane  
Kane & Papa, PC  
Post Office Box 508  
Richmond, Virginia 23218-0508

Jeremy S. Williams  
Kutak Rock LLP  
901 East Byrd Street, Suite 1000  
Richmond, Virginia 23219

/s/ Peter J. Barrett, Trustee  
Peter J. Barrett, Trustee

**UNITED STATES BANKRUPTCY COURT  
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IN RE: )  
 )  
DAVID WAYNE SCHNEIDER ) Case No. 21-30347-KLP  
 ) Chapter 7  
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**AFFIDAVIT**

I, Barry I. Strickland, declare under penalty of perjury that the foregoing is true and correct.

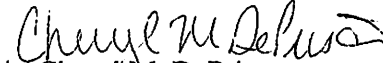
1. I am the president of Barry Strickland & Company, Certified Public Accountants, a corporation of accountants experienced in providing professional services to bankruptcy Trustees.

2. I am willing to accept employment by Peter J. Barrett, Trustee, on the basis set forth in the annexed Application.

3. Barry Strickland & Company, Certified Public Accountants, has no connection with the debtors, the creditors, or their respective attorneys and accountants, the United States Trustee or any persons employed in the office of the United States Trustee, and that, in accordance with § 327(a), it does not have an interest adverse to the Trustee or to the estate. The accountants are disinterested persons as defined within the meaning of 11 U.S.C. Section 101(14).

  
/s/ Barry I. Strickland  
Barry I. Strickland, President  
Barry Strickland & Company  
Certified Public Accountants

Subscribed and sworn to before me this 23<sup>rd</sup> day of May, 2023.

  
/s/ Cheryl M. DePrisco  
Notary Public

My commission expires: May 31, 2023  
Notary Registration No: 7311186

Barry Strickland & Company  
Certified Public Accountants  
P.O. Box 9228  
Richmond, Virginia 23227  
804-550-8500

Peter J. Barrett, Trustee  
Kutak Rock, LLP  
901 E. Byrd Street, Suite 1000  
Richmond, Virginia 23219  
(804) 644-1700  
*Chapter 7 Trustee*

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
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<b>IN RE:</b>	)	
	)	
<b>DAVID WAYNE SCHNEIDER</b>	)	<b>Case No. 21-30347-KLP</b>
	)	<b>Chapter 7</b>
<b>Debtor.</b>	)	

**ORDER APPROVING TRUSTEE'S APPLICATION TO EMPLOY ACCOUNTANT**  
**(Barry Strickland & Company)**

This matter came before the Court upon the Trustee's Application to Employ Accountant (Barry Strickland & Company) (the "Application"). After due consideration, the Trustee's employment of Barry Strickland & Company, pursuant to 11 U.S.C. §327(a) and §328(a), and in accordance with the terms of the Application to serve as accountants to the Trustee should be and hereby is approved. Subject to approval of the Court, the employment approved by this Order shall be compensated as provided in the Application and in accordance with 11 U.S.C. §330.

Upon entry of this order, the Clerk is directed to forward copies to all parties listed on the Service List attached hereto.

Entered:

\_\_\_\_\_  
United States Bankruptcy Judge

I ask for this:

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Peter J. Barrett, Trustee  
Kutak Rock, LLP  
901 E. Byrd Street, Suite 1000  
Richmond, Virginia 23219  
(804) 644-1700

Seen and not objected to:

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Shannon Pecoraro  
Office of the U.S. Trustee  
701 East Broad Street, Suite 4304  
Richmond, Virginia 23219  
(804) 771-2310

**Certificate of Endorsement**

I hereby certify that the foregoing Order Approving Trustee's Employment of Accountant has been endorsed by all necessary parties.

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Peter J. Barrett, Trustee

**Service List**

Shannon Pecoraro  
Office of the U.S. Trustee  
701 East Broad Street, Suite 4304  
Richmond, Virginia 23219

Peter J. Barrett, Trustee  
Kutak Rock, LLP  
901 E. Byrd Street, Suite 1000  
Richmond, Virginia 23219

Jeremy S. Williams, Esquire  
Kutak Rock, LLP  
901 E. Byrd Street, Suite 1000  
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